

Image AF 1623
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Magnus Seerats

IN THE UNITED STATES
PATENT & TRADEMARK OFFICE



Applicant : Robert A. Herrmann et al.
Serial No. : 09/745,226
Filed : 12/21/2000
Title : LIPID BASED NITRIC OXIDE DONORS

Art Unit : 1623
Examiner : Traviss C. McIntosh III
Docket No. : 4010/9

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

SIR:

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) and
NOTICE OF APPEAL

Applicants hereby petition the Assistant Commissioner to grant a one (1) month extension of time, up to and including January 16, 2004 in which to respond to the Final Office Action dated August 8, 2003 in the above-identified application.

It is noted that the first reply to the Final Rejection was filed within two months of the date of the Final Rejection (i.e., response to final rejection filed via fax on October 8, 2003), and therefore, the shortened statutory period (SSP) for response should have been vacated by the examiner and reset in the Advisory Action dated December 16, 2003. The undersigned attorney

has spoken with the examiner, and understands that the SSP will run from the date of the Advisory Action. Authorization is hereby given to charge the 1-mo extension fee of \$110 to the undersigned attorney's PTO deposit account No. 50-1047 accordingly.

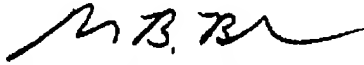
Applicant hereby respectfully appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated August 8, 2003, finally rejecting Claims 33-48, 50-56, and 58-70.

Authorization is hereby provided to charge Deposit Account No. 50-1047 the appeal fee in the amount of \$330.00.

It is further requested that the U.S. Patent and Trademark Office charge any additional amounts due, including any additional extensions of time that may be required, or credit any overpayments made to Deposit Account 50-1047.

Applicants' undersigned attorney may be reached by telephone at (703) 433-0510.

Respectfully submitted,



David B. Bonham Reg. No. 34,297

Date: January 16, 2004

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